Vol. 14. Numb. 17

The Athenian Mercury:

Tuesday, July 17. 1694.

Quest. 1. *Whether it been't a Sin, in any one, of either Sex, to dye for Love, upon supposal of that they prefer the beloved Object before God Almighty; since I suppose most of those that indure that Passion, wou'd scarce undergo Martyrdom for the Love of God?*

Answ. Yes, for they both transgress the Law of Nature, and express Command of God; the first obliging self-preservation, and the last forbidding us to prefer any thing to our Creator.

Quest. 2. *Whether before God I'm guilty of Murther, for, or in, refusing a Woman, deeply in Love with me, meerly because her Fortune is little or nothing, the Person so refused, dying upon my refusal?*

Answ. Tho' you are not absolutely oblidged to accept of such a Person, yet if you have enough handsomly to Maintain you both, and can Love her, and procure the consent of Friends, 'tis a piece of inhumanity, to suffer one to dye or even to be Miserable for your sake, because she has not so much Money as 'tis possible you might get with another.

Quest. 3. *I desire your Advice in what follows:* A young Gentlewoman having been passionately in Love these three or four Years, with a Gentleman who was wholly Ignorant of it; 'till lately, she not contenting her self with Speculation, she not only writ to him, but sent a Messenger to him to come to her, which he did twice but little to her Satisfaction, declaring he would have nothing to do with her; yet she persists in her Passion to that Degree that I'm afraid 'twill end in some desparate Event, there being no possibility to perswade the Gentleman to Marry her, he having given just Reasons to the contrary: Now I being a Friend of hers, have given her the best Advice I could to perswade her to desist, but to no purpose; *therefore beg your Advice to her in this Case, which, I hope may work upon her. I desire your Answer, as soon as possible, her Condition being very dangerous?*

Answ. Her Case is not singular, for Examples are not very common of Mens being so grateful to Love a Lady because she loves them, tho' indeed we think an Argument of a mean Spirit, when their only Plea for not Loving it, because their good Qualities has first subdued a Ladies Heart, tho' there may indeed be just Reasons against returning such a Passion as preengagement, or an impossibility of Loving thro' the disagreeableness of the Person that loves them; yet in such a Case they ought to carry it with as much Goodness and Compassion as possible, only slighting so far as may be useful for the recovery of the Lady: And in either of these two Cases where a Man is so ungenerous to despise, or has just Cause to refuse the Ladies Passion, we think the resentment on one side and the impossibility on the other, might reasonably conduce something to the Cure. And in this Ladies Affair, there seems to be something of both: For his declaring he'll have nothing to do with her, is such a Rude sort of an Answer, as deserves her scorn; and his giving some account why he won't, seems to render the Case impossible: Therefore she must resolve to Conquer and not throw away her self, and to encourage her in the undertaking, we'll assure her, we have known some Persons that have succeeded in the like Attempt, tho' indeed they have found a great deal of Difficulty in it, yet their regained Liberty has fully recompenced 'em for all their Pains; and that she may the more likely effect her Cure, she must take the most probable Means, which must be done by consulting her natural Temper, and what will most take up her Mind, what sort of Diversions, Company, Plays, Walks, Dancing, Singing, or any innocent Mirth; and for a more serious Employ, Work, Reading or Devotion, never mentioning, or suffering to be mentioned, any thing that relates to the Gentleman, except it be the impossibility of her ever having him; and if shee'll take this Course we doubt not but half a Year, or less, will convince her what happy effect it will produce.

Quest. 4. *I desire an Answer to this Question, Viz. Whether Baptism Administer'd by a Midwife or any Lay-hand be valid, so that it need not be repeated by a Person in Holy Orders: Or whether,* Fieri non debuit, factum valet, *does hold in this Case, as it does in some others, and what the Judgment of the Church of* England *is in this Point?*

Answ. Yes, it does, and the Church Confirms the same, and does not allow of Rebaptizing.

Quest. 5. A young Lady who will have a very considerable Fortune, hath for some Years been Courted by a Gentleman of a very good Estate, who was not only approv'd by her Father, but Entertain'd and mightily Encouraged, advising and perswading his Daughter to accept him, but now that she begins to have some Inclination for him, (the Old Gentleman having got a prospect of a better Match) forbids him his Daughters Company, and charges her not to Entertain him, 'till he sees how Affairs will go elsewhere, and if that won't Gee, they may Jogg on and proceed to Matrimony as soon as they please. Now Gentlemen, *Your Opinion is desired in this matter, and your Advice to the young Lady, how far she is oblidged to comply with her Father, and how she ought to carry her self to the aforesaid Gentleman: Your speedy Answer will much oblidge the Lady, and Your humble Servants?*

Answ. She having engaged her self by her Fathers Consent, neither the Father nor Daughter has Power to quit the Obligations, without the Gentlemans Consent, or some other just Cause; as finding him an ill Man, such an one that will be disrespectful to the Lady, ruin or make her unhappy; for as to the Estate that shou'd have been considered before, and is not now a sufficient Cause to an honest Man to break a Childs pre-engagement, and especially when it was occasioned by his approbation: Therefore the Lady having thus had her Fathers Consent, cannot handsomly or honestly forsake her Lover, but must endeavour to perswade her Father to finish what he has begun.

Quest. 6. Two Brothers who dearly Lov'd, the Elder failed in the World, and was at a great Loss what to do for a living for himself and one Son, which he had, the Younger was in a Trade and way to Live; they Consulting together, the Younger in pure Respect and an hearty Desire to serve the Elder, did run a great hazzard of ruining himself, by enlarging his Business, that his Brother might come into his Assistance, and thereby have a Livlyhood both for himself and Son, which was all that he desired or did then Expect —— It so happn'd that this undertaking did succeed well, and about three Years since some Extraordinary Occasions happen'd which have kept the Younger much out of the Business, and the Elder in the same Sation hath Contrived ever since, and by his great Care and Industry hath improved both the Stock and Trade, and hath had an ample Freedom all this while to use whatsoever he would either for himself or Son; and in this last three Years the Younger hath not drawn thence perhaps not more than one sixth part of what the Elder hath used —— And now the Elder taking the Advantage of the Younger's disu-

ſage of the Trade, is reſolved to Exclude him from it, and aſcribes all that there is to the Effects of his Induſtry; and though he never brought in any Stock, nor was at all acquainted with the Trade, until the Younger had taught him, yet Claims if not all there is, yet at leaſt the half as a right due to him; theſe two being reſolved not to make themſelves Publick, *Your Opinion is Deſired, how much the Elder may in Conſcience inſiſt upon, as a Reward of his Induſtry, they never being at all concern'd as Partners, and he never until very lately Intimating any ſuch thing?*

Anſw. The keeping their Affairs private is very prudent, and reaſon, and the Advice of one or two Friends that they can truſt is the beſt way that they can determine their Caſe by: If the Younger entered into no engagement with the other, nor received any addition to his Trade, neither by any Monies he brought to the Stock, or thro' his acquaintance, the Younger is in Equity oblidged only to conſider him as a good and faithful Servant, and reward him accordingly: But ſince he has given ſuch an inſtance of goodneſs and affection to his Brother, 'twere pitty but he ſhou'd maintain the Character; and it is our Judgment, that he will fully do it, if he takes this following Method. If he has no deſign to continue his Trade himſelf, if he entruſt his Elder Brother with his Stock, and allow him half the Profit that ſhall hereafter enſue; or if he continue in Buſineſs they ſeparate their intereſt, to give him one fourth Part of what has been added by his Induſtry, which will be very kind, becauſe 'twas all got by the younger Brothers Stock; and the Elder has had both his and his Sons Maintainance ever ſince, which was at firſt as much as he cou'd have hoped for: If he thus acts, we think his Brother will have no Cauſe to complain, ſince Juſtice does not require ſo much.

Queſt. 7. *I deſire your ſpeedy Anſwer to the following Queſtions.* A. *marrys the Daughter of* B. *with whom he promiſes a conſiderable Fortune, and for the Payment after Marriage gives it under his Hand and Seal before Witneſs, but afterwards performs not the one half: Now there being ſeveral accounts between the Father-in-Law and Son to be adjuſted, and the doing it being the Sons Buſineſs,* Query, *Whether he may not lawfully help himſelf in the Ballance, when tis not the tenth part that is owning to him, without acquainting the Father-in-law, which if he do, he can never expect any ſatisfaction, and ſo muſt looſe all?*

Anſw. The Son may have recourſe to the Law, which will force the Father if he's able to make good the Agreement, but 'tis unlawful for him to help himſelf by ſuch a Fraud.

Queſt. 8. *Two men have agreed to proſecute a Buſineſs, in which they promiſe on either ſide to be equal ſharers in the gains, and one ever did impart the half he got; the other meets with a conſiderable advantage, and refuſes to give the Moiety thereof to his partner, and never performs it; but they being obliged for ſome time to continue this agreement, the Queſtion is, whether the injured perſon may not help himſelf if it happen to be in his power, without acquainting him that did the wrong thereof, provided he do not exceed the Summ he has been injured in?*

Anſw. If there were any Articles that enjoyned this Partnerſhip, the wronged Perſon may compel the other to do him Juſtice; but if it depended meerly upon their Honeſty, the one having forfeited, the other is at his liberty, and may detain an equal ſhare, provided he acquaint his Partner with it, but cannot do it ſecretly without an unjuſt deceit.

Adverttſements.

☞ MAny Gentlemen that were wont conſtantly to take in the Monthly Compleat Library, *being now gone into the Country, 'tis deſigned that the* Compleat Librarys *for* May, June, July *and* Auguſt, *ſhall be Publiſh'd altogether at the beginning of next Term.*

☞ THe *Second Volume of the French Book of Martyrs,* is now publiſh't in *Engliſh,* with Her Majeſties *Royal Priviledge,* and ready to be delivered to the Subſcribers. *The Third* and *Fourth* Volumes are alſo preparing for the Preſs, and comprehend (with the two Volumes already publiſhed) all the *Martyrdoms,* &c. that have been in *France* from the beginning of the *Reformation* there, down to this preſent time.

☞ THe *Ladies Dictionary,* being a pleaſant Entertainment for the *Fair Sex,* a Work never attempted before in *Engliſh.* The *Deſign* of this Work is univerſal, and concerns no leſs than the *whole Sex* of Men in ſome reguard, but of Women ſo perfectly and nearly, that 'twill be ſerviceable to them in all their Concerns of both *Love, Marriage, Dreſs, Behaviour, Buſineſs, Life, Houſes and Converſation.* The Author throughout the whole Work intermixes abundance of *Secret Occurrences* with his other matter, and you may find here all the *Humours of the Town* at the bare expence of reading —— Printed for *John Dunton* at the *Raven* in the *Poulrey.*

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LONDON, Printed for John Dunton at the *Raven* in the *Poultrey.* 1694.